

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

SMARTDESKS, INC., et. al.,	)	
	)	
Plaintiffs / Counterclaim	)	
Defendants,	)	
v.	)	
	)	Civil Action No.: 1:05-CV-03456 MJG
CBT SUPPLY, INC., et. al.,	)	
	)	
Defendants / Counterclaim	)	
Plaintiffs.	)	
	)	

**DEFENDANTS' SECOND REQUEST FOR PRODUCTION OF DOCUMENTS AND  
THINGS TO PLAINTIFF PETER STENGEL**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendants/Counterclaim Plaintiffs CBT Supply, Inc. and Jeffrey Korber ("Defendants"), by its counsel, requests that Plaintiff/Counterclaim Defendant Peter Stengel produce the following documents for inspection and copying at the offices of Seyfarth Shaw LLP, 815 Connecticut Avenue, N.W., Suite 500, Washington, D.C. 20006, within the time provided by law.

**Instructions and Definitions**

The Instructions and Definitions set forth in Defendants' First Request for Production of Documents and Things are hereby incorporated by reference as if fully set forth herein.

In addition, the following definitions shall apply to these requests:

1. "Smartdesks, Inc." means Plaintiff/Counterclaim Defendant Smartdesks, Inc., its officers, directors, shareholders, employees, agents, representatives and assigns.

2. "December 21, 2005 E-mail" means the electronic mail communications between Peter Stengel and Scott Conwell dated December 21, 2005 (Exhibit 7 to the deposition of Jeffrey Korber), including all enclosures or attachments to such messages.
3. "Peter Stengel" means Plaintiff/Counterclaim Defendant Peter Stengel and his estate, heirs, successors, assigns, and any individuals who may be substituted as a Plaintiff in the above-captioned action.
4. "Plaintiffs" refers collectively to Smartdesks, Inc. and Peter Stengel.

### **REQUEST FOR PRODUCTION**

#### **Request No. 23**

All documents concerning each and every copyright application filed with the U.S. Copyright Office by or on behalf of Peter Stengel, Jasen Stengel, or Smartdesks, Inc. including, without limitation, all documents submitted to the Copyright Office in connection with such applications, all correspondence received from the Copyright Office in response to such applications, and all documents supporting the claims of authorship and ownership of the copyrighted works sought to be registered in the copyright applications.

#### **Request No. 24**

All documents concerning each allegation regarding the alleged Smartdesks Internet Marketing System trade dress identified in Plaintiffs' proposed Amended Complaint including, but not limited to, all documents concerning the conception, authorship, design, development, and use of each element of the alleged trade dress.

#### **Request No. 25**

All documents concerning each allegation regarding the alleged Piano Conference Table trade dress identified in Plaintiffs' proposed Amended Complaint including, but not limited to,

all documents concerning the conception, design, development, advertising and use of each element of the alleged trade dress.

**Request No. 26**

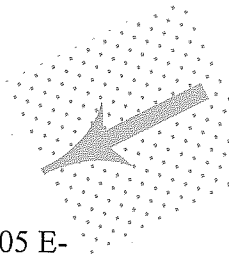
All documents concerning all sales, income, profits, capital contributions, costs and expenses derived from or associated with the Smartdesks Internet Marketing System (as defined in Plaintiffs' Complaint) or the manufacture, advertising or sale of any products or services under or in connection with the Smartdesks Trademarks including, but not limited to, all Federal income tax returns for Smartdesks, Inc.

**Request No. 27**

All documents concerning all of the subject matters set forth in the December 21, 2005 E-mail including, but not limited to, all documents concerning the preparation and drafting of Plaintiffs' Complaint. This request specifically includes correspondence between Plaintiffs and their Counsel, as well as Counsel's work product pertaining to any subject matter contained in the December 21, 2005 E-mail.

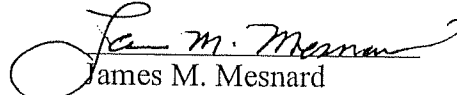
**Request No. 28**

All documents concerning or supporting your contention that the December 21, 2005 E-mail was stolen by Defendants.



Respectfully submitted,

Seyfarth Shaw LLP

  
James M. Mesnard

Bar No. 4072

Seyfarth Shaw LLP

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*Admitted Pro Hac Vice*

Mark L. Seigel

Matthew N. Foree

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May 22, 2006

ATTORNEYS FOR CBT SUPPLY, INC.  
AND JEFFREY KORBER

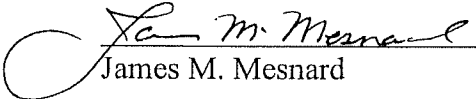
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Plaintiffs.	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing *Defendants' Second Request for Production of Documents to Plaintiff Peter Stengel* has been served this 22<sup>nd</sup> day of May, 2006, via facsimile and via hand delivery upon:

Scott A. Conwell  
Conwell, LLC  
2138 Priest Bridge Court, Suite No. 4  
Crofton, Maryland 21114  
scott@conwellusa.com

  
James M. Mesnard